

REMARKS/ARGUMENTS

Claims 45-75 are pending in the application and have been objected to. Claims 45 and 46 have been amended.

Applicant respectfully requests reconsideration in view of the foregoing amendments and the remarks hereinbelow.

Rejection of Claims 45-75 Under 35 U.S.C. § 112:

Claims 45-75 have been rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. In particular, the Examiner states that the specification as originally filed fails to provide support for step (b) in claims 45 and 46, "scanning said image in each of the units of the imagewise exposed and developed film to form a first electronic image representation of said imagewise exposure." The Examiner states that the specification discloses scanning an imagewise exposed and developed imaging element to form a first electronic image representation of the said imagewise exposure, but not scanning the image in each of the unit such as presented in the claimed invention. Also, the Examiner states that the specification fails to disclose the method of image formation in the absence of heating the photothermographic material to form an image. The Examiner notes that heating is critical in the formation of an image, and in its absence from the developing step, the thermal solvent does not activate the blocked developer which is the essence of the present invention.

Applicants have amended claims 45 and 46 to remove the issues raised in this rejection. In particular, claims 45 and 46 have been amended to delete the phrase "each of the units of." It is respectfully submitted, however, that although the present claim language does not require a developed image be scanned in each unit, that possibility is not necessarily excluded by the claim language either. In addition, Applicants have amended claims 45 and 46 to recite that the film is heated to a temperature within the range of about 80 to 180°C. Support for this language is to be found in original claim 66 and on page 72, lines 24-30 of the original specification.

Rejection of Claims 45-75 Under 35 U.S.C. § 112

Claims 45-75 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner states that the language in the preamble 'photothermographic element that is a photographic film" is unclear. The Examiner also notes that some of the formulae presented in claims 58-59 was illegible in the facsimile.

Claims 45 and 46 have been amended to clarify that the invention relates to a photothermographic element as compared to a non-photothermographic element that is, for example, processed conventionally by immersion in processing solutions. A new copy of Claims 58 and 59 is included herein.

Applicants thank the Examiner for the indication of allowable subject matter in the claims.

Based on this statement, this rejection is believed obviated, as indicated by the Examiner.

Respectfully submitted,



Attorney for Applicants
Registration No. 30,721

Chris P. Konkol/jec
Rochester, NY 14650
Telephone: (716) 722-0452
Facsimile: (716) 477-1148